IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10678 of 2004

Between:

1 Mode Nageswaramma W/o Srinivasulu Naik
Both are residents of Siddareddipalem Village H/o Chennuru, Dagadarthi Mandal, Nellore District
2 Mode Ramanamma W/o Gopal Naik
Both are residents of Siddareddipalem Village H/o Chennuru, Dagadarthi Mandal, Nellore District

..... PETITIONER(S)

AND

1 The District Collector , Nellore, Nellore District
2 The Mandal Revenue Officer Dagadarthi Mandal, Nellore District
3 The Mandal Surveyor, O/o Mandal Revenue Officer Dagadarthi Village & Mandal , Nellore District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in not considering the case of the petitioners for not conducting the survery on their respective lands and not fixing the stone boundaries as requested by the petitioners inspite of several representations is arbitrary and unreasonable and consequently direct the respondents to consider the case of the petitioners for making survey of their respective lands situated in Sy.Nos.648.6, 648.7, 648.10, 648.11, 649.7, 652.1, 652.2, 652.3, 652.4 to an extent of Ac. 1.00 each totalling Ac. 9.00 in Siddareddipalem Village H/o Chennuru, Dagadarthi Mandal, Nellore District by fixing stone boundaries forthwith,

For the Petitioner : MR.G.TUHIN KUMAR, ADVOCATE
For the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

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The petitioners filed the writ petition seeking direction to respondents to consider their respective representations for survey and for fixing boundaries in their respective lands.

The petitioners claims to be the owners of land in Survey Nos.648.6, 648.7, 648.10, 648.11, 649.7, 652.1, 652.2, 652.3, 652.4 total admeasuring Ac.9-00 in Siddreddipalem village H/o Chennuru, Dagadarthi mandal, Nellore district and in possession of the property. It is stated that since there is a local dispute with regard to the exact possession of their lands, and in order to dig a borewell in their land, they made representations to the respondents for survey and for fixing boundaries. The petitioners grievance is that in spite their representations to the respondents for survey and demarcation of their land after paying requisite fee for survey, the respondents have not taken any steps for survey and demarcation of land.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue, and both of them agreed for disposal of the writ petition finally at the stage of admission, with the following directions.

The Respondents are directed to consider the representations of the petitioners for conducting survey and for fixing boundaries, if they have paid the requisite fee, after giving notice to the affected parties, expeditiously. The writ petition with the above observations and directions is accordingly disposed of. No costs.

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N.V.RAMANA, J

Dated: 28th June 2004.

DA/TVK

To

1 The District Collector , Nellore, Nellore District
2 The Mandal Revenue Officer Dagadarthi Mandal, Nellore District
3 The Mandal Surveyor, O/o Mandal Revenue Officer Dagadarthi Village & Mandal , Nellore District
4. 2 CCs to the G.P. for Revenue, High Court, Hyderabad (OUT).

5. 2 CD copies.